

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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**HAMILCAR BARCA, on behalf of
himself and others similarly situated,**

CASE NO. 25 CV 00774

Plaintiff,

v.

**URBAN STRATEGIES MANAGEMENT
CORP.,**

Defendants.
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NOTICE OF COLLECTIVE ACTION LAWSUIT

To: Individuals who were employed by Urban Strategies Management Corp. as maintenance workers or custodians on or after February 11, 2022

Re: Notice of Pendency of Collective Action

The purpose of this Notice is to advise you that a lawsuit has been filed by Hamilcar Barca (“Plaintiff”) against Urban Strategies Management Corp. (“Defendant”), to notify you of your legal rights in connection with that suit, and to instruct you on the procedure for participating in this lawsuit, if you so desire.

The Court has not expressed any opinions as to the merits of this lawsuit and has made no determination about who is right and who is wrong.

You have no obligation to join this lawsuit or respond to this Notice. This Notice is intended solely to let you know that a lawsuit has been filed and that certain claims are being made.

1. DESCRIPTION OF THE LAWSUIT

Plaintiff filed this lawsuit against Defendant on February 11, 2025 in the Eastern District of New York, Case Number 25 CV 774. A portion of the lawsuit alleges a violation under the Fair Labor Standards Act (“FLSA”). With respect to that portion of the lawsuit, Plaintiff alleges that Defendant failed to pay Plaintiff, and other maintenance workers or custodians, all of the overtime wages they were owed. Defendant denies Plaintiff’s claims and maintains that it paid employees properly.

The Court has not yet made any determination as to the validity of Plaintiffs’ claims.

2. NO OPINION EXPRESSED TO WHETHER THIS CASE HAS MERIT

At this early stage, the Court has not made any determination on the merits of Plaintiff’s claims or that you or any other employee are owed any unpaid wages or other compensation and is not advising

you to participate in this lawsuit. This notice is required by law solely to determine if any other similarly situated employees wish to participate in the case.

Please do not write or call the Court about this notice, as the Court expresses no opinion on the merits of this lawsuit.

3. WHO MAY JOIN THIS LAWSUIT

If you worked for Defendant as a maintenance worker or custodian on or after February 11, 2022, you are eligible to join this lawsuit. To join the lawsuit you must sign the enclosed written Consent form to be a “party-plaintiff” in the lawsuit. This form will be filed publicly with the Court.

It is entirely your decision whether or not to join the lawsuit. If you do file the consent to join this lawsuit, it is against the law for Defendants to retaliate against you (by for example firing you, reducing your hours or lowering your wages) for doing so.

You may participate in this lawsuit even if you are not working in this country legally.

4. THE CONSENT FORM

If you want to join this lawsuit, fill out and send the form attached to this notice, which is entitled “Consent to Join,” to the Plaintiff’s attorneys using the enclosed envelope or by email or fax to:

Mike DiGiulio
Joseph & Kirschenbaum LLP
32 Broadway, Suite 601
New York, NY 10004
(P) 212-688-5640
(F) 212-981-9587
mike@jk-llp.com

If you want to join the lawsuit, your consent form must be submitted no later than **October 6, 2025. If your signed Consent to Join Form is not postmarked, emailed, or faxed by October 6, 2025, you may not be allowed to participate in the federal law portion of this lawsuit.**

5. EFFECT OF JOINING THIS LAWSUIT

If you choose to join this lawsuit, you will be bound by any ruling, settlement or judgment, whether favorable or unfavorable. You will also share in any proceeds from a settlement or judgment favorable to the party-plaintiffs. By joining this lawsuit, you designate Plaintiff as your representative, and to the fullest extent possible, you designate Plaintiff to make decisions on your behalf concerning the case, the method and manner of conducting the case, and all other matters pertaining to this lawsuit. Decisions made and agreements entered into by Plaintiff relating to the lawsuit will be binding on you if you join the lawsuit.

If you elect to join this case, you may be required to participate in the discovery process under the supervision of this Court, including responding to written interrogatories and document production requests, appearing at a deposition within the Eastern District of New York, and, potentially, testifying at a trial in this matter. If you have retained records relating to your employment with Defendant, such

as copies of paychecks, W-2s, schedules, tip sheets, time records, or other documents or communications regarding your employment and hours you worked for Defendant, you are obligated to preserve and produce such documents should you elect to join this case.

6. YOUR LEGAL REPRESENTATION IF YOU JOIN

If you wish to join this lawsuit as a plaintiff, it is your decision as to whether you prefer to be represented by the Plaintiff's attorneys, by an attorney of your own choosing, or by yourself (i.e., *pro se*). If you choose to hire your own attorney, you will be responsible for their payment on whatever terms you agree. If you wish to join in this collective action and be represented by Plaintiff's counsel you will be bound by their attorneys' fees arrangement with Plaintiff.

The attorneys' fee arrangement for this case provides that Plaintiff's counsel are handling this matter on a contingency basis, i.e., that the attorneys' fees and costs will be determined on a percentage basis based on the recovery on behalf of Plaintiffs and that Plaintiffs will not be responsible for fees and/or costs if there is no recovery for Plaintiffs. The agreement further provides that at the conclusion of the case, Plaintiffs' counsel will make an application to the Court for the recovery of fees and costs, that the Court has discretion of the amount of fees to award, and that the fees may be as much as one-third of any settlement fund or judgment, in addition to costs and expenses.

You may wish to direct questions you have about this notice to Plaintiff's Lawyers:

Mike DiGiulio
Joseph & Kirschenbaum LLP
32 Broadway, Suite 601
New York, New York 10004
(212) 688-5640
mike@jk-llp.com

Below is the contact information of the Defendant's Lawyers:

Brian Pete
Lewis Brisbois Bisgaard & Smith LLP
7 World Trade Center
250 Greenwich St., 11th Fl.
New York, New York 10007
(212) 232-1363
Brian.Pete@lewisbrisbois.com

If you join this lawsuit and are represented by Plaintiff's counsel or counsel of your own choosing, do not contact Defendant's Lawyers directly.

7. NO LEGAL EFFECT IN NOT JOINING THIS SUIT

If you choose to not join this lawsuit, you will not be affected by any settlement or judgment regarding the FLSA claims in this case, whether favorable or unfavorable. If you do not join this lawsuit, you will remain free to file your own lawsuit if you so choose.

Dated: _____

CONSENT TO JOIN

I WANT TO JOIN THE LAWSUIT Barca v. Urban Strategies Management Corp., which is pending in the Federal Court for the Eastern District of New York, New York. I understand that this lawsuit seeks unpaid wages that may be owed to me and that by joining this lawsuit I will become a plaintiff pursuant to the Fair Labor Standards Act. I agree to be bound by any adjudication in the lawsuit whether it is favorable or unfavorable. I understand that, by filing this form, I am voluntarily becoming a party plaintiff to this action, with the obligations and rights of a plaintiff in a case as explained in this form. I wish to preserve and pursue any claims that I may have to the greatest extent possible.

I choose to be represented by:

_____ Joseph & Kirschenbaum, LLP. I authorize Plaintiff and Joseph & Kirschenbaum, LLP to act on my behalf in all matters relating to this action and to file this consent with the Clerk of Court. I hereby further authorize and designate the Named Plaintiff to act on my behalf concerning this litigation, this investigation, consideration of settlement and attorneys' fees and costs, and all other matters pertaining to this lawsuit.

_____ Another attorney of my choosing who shall promptly file a notice of appearance on my behalf.

_____ Myself *pro se* without the assistance of an attorney

I understand that if I do not select any of the representation options above but send back this form to the Clerk of the Court, I will be represented by Plaintiff's Counsel, Joseph & Kirschenbaum LLP and will be bound by the attorneys' fee arrangement as described above that Plaintiff entered into with Joseph & Kirschenbaum LLP.

Date: _____

Signature

Phone Number*

Print Name

E-mail Address*

Dates of Employment*

Position(s) Held*

Mailing Address*

*This information will not be filed with the Court.